

June 15, 2006

Ms. Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, D.C. 20554

Re: Certification of CPNI Filing (June 15, 2006)
EB File No. EB-06-TC-060
EB Docket No. 06-36

Dear Ms. Dortch:

In response to the Commission's Public Notices, DA 06-223 and DA 06-258, released on January 30, 2006 and February 3, 2006 respectively, Cbeyond Communications, Inc. ("Cbeyond") hereby submits this letter certifying Cbeyond's compliance with the Commission's customer proprietary network information ("CPNI") rules in 47 C.F.R. §§ 64.2001-64.2009.

Should you have any questions or need additional information, please contact the undersigned.

Respectfully submitted,

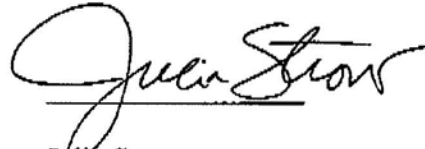


Julia Strow
Vice President
Regulatory and Legislative Affairs
Cbeyond Communications Inc.

cc: Byron McCoy, Telecommunications Consumer's Division, Enforcement Bureau
Best Copy and Printing, Inc.

CERTIFICATION

I, Julia Strow, hereby certify on this 15th day of June, 2006, that I am an officer of Cbeyond Communications, Inc. ("Cbeyond") and that I have personal knowledge that Cbeyond has established operating procedures that are adequate to ensure compliance with the customer proprietary network information rules set forth in 47 C.F.R. §§ 64.2001 through 64.2009.

A handwritten signature in black ink, reading "Julia Strow", written over a horizontal line.

Julia Strow
Vice President
Regulatory and Legislative Affairs
Cbeyond Communications, Inc.

CPNI Compliance Statement

On January 30, 2006, the Enforcement Bureau released a Public Notice in which it required that carriers submit section 64.2009(e) customer proprietary network information ("CPNI") compliance certificates by February 6, 2006. Two days later, on February 1, 2006, the Enforcement Bureau initiated an investigation into Cbeyond's CPNI practices and procedures. In order to comply fully with that investigation and to ensure that its operating procedures ensure compliance with the Commission's CPNI requirements, Cbeyond commenced a comprehensive internal review of its operating procedures for CPNI compliance. Until that review was completed, Cbeyond determined that it would be inappropriate for an officer of the company to sign a compliance certificate describing whether and to what extent its "operating procedures ensure that it is or is not in compliance with" the CPNI rules. 47 C.F.R. § 64.2009(e). Cbeyond did not complete that review by the February 6 deadline for filing section 64.2009(e) certificates set forth in the Public Notice. Cbeyond has now completed its internal review. Accordingly, Cbeyond can now represent that it is in compliance with all applicable CPNI rules and regulations.

- Cbeyond safeguards its customers' CPNI and only allows access by authorized employees for authorized purposes. Employee access to the systems in which CPNI resides is tightly controlled with individual usernames and passwords, and the level of access to information systems containing CPNI is limited based on the employee's job function and appropriate geographic market. Any time an employee accesses these systems, the access is logged. Hard copy files of existing customer records, including contracts, are kept in locked cabinets to which sales representatives do not have access. All employees who have access to CPNI are carefully screened to ensure their honesty and integrity. Employees' access to the information systems containing CPNI is reviewed on a quarterly basis and is removed immediately upon conclusion of employment.
- Cbeyond trains its employees in the proper application of the FCC's CPNI rules least twice per year and more often if required. In addition, that training includes training regarding processes and procedures for accessing CSRs, billing information and other CPNI from other carriers. In addition, employees must periodically sign an acknowledgement that they have read and understood the employment guide. The employment guide defines "illegal or unethical activity" to include the "improper use of "confidential and proprietary or sensitive information" and prohibits any distribution of the information "without prior written authorization of the CEO or CFO."
- Cbeyond has established procedures to ensure its customers' CPNI is not disclosed to unauthorized parties. For example, each customer account

lists one or more authorized contacts, and Cbeyond will not disclose customer information to “unauthorized contacts.”

- Cbeyond has established confidentiality agreements with its third party independent contractors and joint venture partners that receive Cbeyond’s customers’ CPNI to ensure that those third parties adequately safeguard Cbeyond’s customers’ CPNI.
- Cbeyond has established the proper procedures and provided appropriate customer notices so that customer permission can be obtained for the disclosure, use and dissemination of customers’ CPNI for certain permissible purposes. Cbeyond provides its customers the opportunity to “opt-out” of marketing efforts based on CPNI via a written notice at the time the service is initiated. To the extent necessary and in limited circumstances, Cbeyond also provides its customers with the ability to opt-in to permit Cbeyond to use, disclose or disseminate their CPNI for certain purposes. Cbeyond maintains systems that clearly record whether and for what purpose customer permission has been granted for the disclosure, use and dissemination of each customer’s CPNI. The records of such elections are maintained for at least one year.
- Cbeyond retains a record of its sales and marketing plans that utilize its customers’ CPNI. Cbeyond has in place a supervisory review process for such marketing plans and records are kept for at least one year.
- Cbeyond maintains systems that permit its customers to change their CPNI elections at any time via a toll free phone number or via e-mail. Opt-out notices are sent to customers at least every two years.
- Cbeyond has established procedures for the identification, reporting and punishment for any inappropriate employee use of CPNI. The Cbeyond employment guide states that employees may be terminated for the authorized disclosure of confidential information. Moreover, employees are urged to report any illegal activity by other employees, including the improper use of “confidential and proprietary company or personal information.”
- Cbeyond has established procedures for legal review of any changes to its procedures related to CPNI.
- Cbeyond has designated a corporate officer who acts as an agent for the company and is responsible for signing the annual compliance certificate demonstrating that the officer has personal knowledge that the Company has established operating procedures adequate to ensure compliance with the CPNI rules and regulations.